

AMENDED IN SENATE JULY 9, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 260**

---

**Introduced by Assembly Member Jackson**  
**(Coauthors: Assembly Members Koretz, Lowenthal, Montanez,**  
**Mullin, Nakano, Nation, Pavley, and Vargas)**

February 4, 2003

---

An act to amend Section 91.5 of, and to add Section 91.6 to, the Streets and Highways Code, relating to highways.

### LEGISLATIVE COUNSEL'S DIGEST

AB 260, as amended, Jackson. State highways: litter control.

Existing law provides that the Department of Transportation shall have full possession and control of all state highways and associated property. Existing law authorizes the department to enter into an agreement to accept funds materials, equipment, or services from any person for maintenance of a section of a state highway, and also requires the department to place signs along state highways indicating the maximum penalty for littering.

This bill would include the cleanup or abatement of litter of a section of a state highway within those purposes. The bill would require the department, within its maintenance programs relating to litter cleanup and abatement *and using existing resources*, to assign a high priority to litter deposited along state highway segments adjoining storm drains, streams, rivers, *waterways*, beaches, the ocean, and other

environmentally sensitive areas, and to report to the Legislature on or before January 20 of each year on its actions in that regard.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 91.5 of the Streets and Highways Code  
2 is amended to read:

3 91.5. (a) The department may enter into an agreement to  
4 accept funds, materials, equipment, or services from any person  
5 for maintenance or roadside enhancement, including the cleanup  
6 and abatement of litter, of a section of a state highway. The  
7 department and the sponsoring person may specify in the  
8 agreement the level of maintenance that will be performed.

9 (b) The director may authorize a courtesy sign. These courtesy  
10 signs shall be consistent with existing code provisions and  
11 department rules and regulations concerning signs.

12 SEC. 2. Section 91.6 is added to the Streets and Highways  
13 Code, to read:

14 91.6. (a) The Legislature finds and declares that the  
15 department is devoting insufficient attention to litter cleanup on  
16 state highway rights of way in environmentally sensitive areas,  
17 with resulting degradation of stream, river, *waterway*, beach, and  
18 ocean areas from litter originating from highways. Litter dumped  
19 on state highways finds its way to adjoining lands and bodies of  
20 water through wind and storm runoff. The department's failure to  
21 adequately address this situation sullies California's otherwise  
22 beautiful scenery and is detrimental to California's critically  
23 important tourist industry.

24 (b) The department shall, within its maintenance programs  
25 relating to litter cleanup and abatement, assign a high priority to  
26 litter deposited along state highway segments adjoining storm  
27 drains, streams, rivers, *waterways*, beaches, the ocean, and other  
28 environmentally sensitive areas. *The department may use litter*  
29 *traps in drains and any other effective technology in carrying out*  
30 *these responsibilities.*



- 1 (c) The department shall report to the Legislature on or before
- 2 January 20 of each year on its actions pursuant to this section, *and*
- 3 *shall complete this requirement using existing resources.*

O

